



Kristy D. Clark
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VIA UPS OVERNIGHT MAIL

January 10, 2011

Ms. Victoria Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423-0001

***Re: STB Docket No. AB-6 (Sub-No. 473X); BNSF Railway Company –
Abandonment Exemption – in Rolette and Towner Counties, North Dakota***

Dear Ms. Rutson:

Please reference BNSF Railway Company's Environmental and Historic Reports filed with the Board on December 6, 2010, in the above-referenced docket. Enclosed is an additional reply that we received after the filing of our reports.

Sincerely,

A handwritten signature in black ink that reads "Kristy Clark". The signature is written in a cursive, flowing style.

Kristy D. Clark
General Attorney

Enclosures

KDC/js



North Dakota State Water Commission

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REC'D LAW DEPT.

JAN - 7 2011

FORT WORTH

January 4, 2011

Kristy Clark
BNSF Railway Company
PO Box 961039
Fort Worth TX 76161

Dear Ms. Clark:

This is in response to your request for review of environmental impacts associated with the STB Docket No. AB-6 (Sub-No. 473X) – BNSF Railway Company – Abandonment Exemption in Rolette and Towner Counties, ND.

The proposed project has been reviewed by State Water Commission staff and the following comments are provided:

- The property is not located in an identified floodplain and it is believed the project will not affect an identified floodplain.
- It is the responsibility of the project sponsor to ensure that local, state and federal agencies are contacted for any required approvals, permits, and easements.
- All waste material associated with the project must be disposed of properly and not placed in identified floodway areas.
- No sole-source aquifers have been designated in ND.

There are no other concerns associated with this project that affect State Water Commission or State Engineer regulatory responsibilities.

Thank you for the opportunity to provide review comments. If you have any questions, please call me at 328-4969.

Sincerely,

Larry Knudson
Research Analyst

LJK:dp/1570